(65)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI V.K. SHRIVASTAVA, J.

W.P. No. 2993 of 1999

PETITIONERS

1. Hari Prasad Gupta
Son of late Shri Hazarilal Gupta
Aged 59 years, resident of
Manendragarh Distt – Koriya (M.P.)
2. Raghuwar Prasad Jaiswal
Son of late Shri Netal Prasad Jaiswal aged
76 years, resident of Manendragarh Distt
Koriya (M.P.)

VERSUS

RESPONDENTS

1. State of Madhya Pradesh
Through Revenue Secretary,
Vallabh Bhawan, Bhopal (M.P.)
2. Commissioner, Bilaspur Division Bilaspur
(M.P.)

Present: Shri Amrito Das, learned counsel for the petitioners.
Shri Utkarsh Verma, learned Dy. Govt. Adv. for the State.

ORAL ORDER
(Passed on 27th November, 2006)

The following oral order of the Court was passed by **S.R. NAYAK, CJ .**

The issue brought before the Court squarely and undeniably falls within the legitimate power of the State. A citizen has no right to insist that a particular place alone should be the headquarters of a newly formed district. Such decision is essentially a policy decision and a policy decision of the State cannot lightly be interfered with by the Court under Article 226 of Constitution of India. Be that as it may, there is nothing laid before us which could persuade us to think that the choice of the place made by the State to be the district headquarters of the newly formed district is tainted by *malafide* or irrationality. The writ petition is, therefore, dismissed. No costs.

Sd/-
Chief Justice

Sd/-
V.K. Shrivastava
Judge